

REMARKS

Claims 2 and 8 are objected to because of informalities and those informalities have been corrected and the objection should be withdrawn.

CLAIM REJECTIONS – 35 USC § 101

In response to the rejection of claims 1-23 under 35 U.S.C. 101 because the claims are directed to non-statutory subject matter, Applicant respectfully traverses the rejection because Applicant has amended claim 1 to recite a client computer and an application wrapper executed by the client computer which are now recite statutory subject matter and the rejection should be withdrawn for claims 1-23.

PRIOR ART REJECTIONS

In response to the examiner's rejection of claims 1-7, 9-30 and 32-46 under 35 USC 103 as being unpatentable over US Patent No. 7,117,495 to Blaser et al. ("Blaser") in view of Schaefer (Pub No. US 2002/0174215) ("Schaefer") and the rejection of claims 8 and 31 as being obvious over Blaser and Schaefer and further in view of "The Design and Implementation of Zap." Article by Osman et al. ("Osman") and US Patent Application Publication No. 2002/0072830 to Hunt ("Hunt"), Applicant respectfully traverses these rejections for the reasons set forth below.

Claims 1-7, 9-30 and 32-46

The examiner has rejected these claims as being obvious over Blaser in view of Schaefer. However, to establish a prima facie case of obviousness, the examiner must show that each claim element is disclosed or suggested by the combination of prior art cited by the examiner. See MPEP 2143. In this case, the examiner cannot show that each claim element is disclosed or suggested by the combination of prior art for the reasons set forth below and must be withdrawn.

Claims 1 and 24

Claims 1 and 24 recite "a privatized virtual file resource created from an operating system file system wherein the application software only accesses the privatized virtual file resource"

and “a privatized virtual registry created from an operating system registry system wherein the application software only accesses the privatized virtual registry”, which are not disclosed by the combination of Blaser and Schafer, alone or in combination for the reasons set forth below.

Blaser discloses a system that has “layers” in which, as shown in Figure 2, the applications 200 may access the Layer A 204, Layer B 202 or the Base file system 206 based on a priority scheme described in Blaser. See Blaser at Col 4, lines 28-50. Thus, an application 200 accesses both its layer file system (Layer A), the file system of another application layer (Layer B) or the base file system. Similarly, the Blaser system allows the application to access any registry. Thus, Blaser does not describe “a privatized virtual file resource created from an operating system file system wherein the application software only accesses the privatized virtual file resource” and “a privatized virtual registry created from an operating system registry system wherein the application software only accesses the privatized virtual registry.” The examiner apparently agrees with Applicant and relies on Schaefer to disclose “wherein the application software only accesses the privatized virtual file resource” and “wherein the application software only accesses the privatized virtual registry” as set forth in claims 1 and 24.

Schaefer also does not disclose “wherein the application software only accesses the privatized virtual file resource” and “wherein the application software only accesses the privatized virtual registry” as set forth in claims 1 and 24. Applicant notes that the Schaefer patent is owned by Softricity and the Schaefer patent suffers from the same problems as the Softricity article previously used by the examiner.

In particular, Schaefer “includes a virtual Windows registry component, **which will provide a full function registry to an application**, but prevent modification to the underlying system registry” and “If an application need access to a key , it will query the Registry. The Operating System Guard will respond with the key and its value if it knows it. Otherwise, **it will allow the request to pass through to the Windows Registry**.” See *Schaefer at paragraph 0027*. Thus, Schaefer discloses that a request for a key in the registry from the application will pass through to the Windows Registry. Therefore, as with the Softricity article previously cited

by the examiner, Schaefer does not disclose “wherein the application software only accesses the privatized virtual registry” as set forth in claims 1 and 24.

Thus, neither Blaser nor Schaefer, alone or in combination, disclose or suggest each claim element and therefore the examiner has not established a prima facie case of obviousness and the obviousness rejection must be withdrawn.

Claims 2-7, 9-23, 25-30 and 32-46

With respect to claims 2-7, 9-23, 25-30 and 32-46, these claims depend from claims 1 and 24 and the examiner has not established a prima facie case of obviousness of these claims for at least the same reasons as the independent claims.

Claims 8 and 31

In view of the lack of disclosure of certain elements of the independent claims as described above in Blaser and Softricity, the obviousness rejection cannot be maintained since Osman and Hunt do not cure the defects in Blaser or Softricity and therefore the rejection of this rejection is improper and must be withdrawn.

CONCLUSION

In view of the above, it is respectfully submitted that Claims 1-46 are allowable over the prior art cited by the Examiner and early allowance of these claims and the application is respectfully requested. The Examiner is invited to call Applicant's attorney at the number below in order to speed the prosecution of this application.

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896 referencing Attorney Docket No. 351306-991110.

Respectfully submitted,

DLA PIPER LLP (US)

Dated: January 27, 2010

By /Timothy W. Lohse/
Timothy W. Lohse
Reg. No. 35,255
Attorney for Applicant

Timothy W. Lohse
DLA Piper LLP (US)
2000 University Avenue
East Palo Alto, CA 94303-2248
650-833-2055 (Direct)
650-833-2001 (Facsimile)
timothy.lohse@dlapiper.com